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Letter dated 1 November 2004 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General

I have the honour to address to you a note from the Permanent Mission of the Republic of Belarus to the United Nations on the situation of human rights in the Republic of Belarus (see annex).

I should be grateful if the text of this letter and its annex could be circulated as a document of the General Assembly under agenda item 105.

(*Signed*) Andrei **Dapkiunas**
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to the United Nations

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Annex to the letter dated 1 November 2004 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General

On the situation of human rights in the Republic of Belarus: Note from the Permanent Mission of the Republic of Belarus to the United Nations

The Constitution of the Republic of Belarus proclaims the individual, the individual's rights and freedoms and guarantees of their realization as the highest aim of society and the State. The Constitution guarantees citizens such basic rights as the right to life, freedom, the inviolability and dignity of the person, freedom of opinion and convictions and their free expression, and also all other rights proclaimed in the Universal Declaration of Human Rights and other international treaties to which Belarus is a party.

In the Republic of Belarus, laws have been passed to develop and give practical expression to the provisions of the Constitution, the aim being to improve mechanisms for ensuring the rights and freedoms of citizens. The existing legislation is being continually improved to bring it completely into line with the country's international obligations in the field of human rights.

The Republic of Belarus condemns human rights violations wherever they occur and advocates constructive international cooperation to defend human rights on the basis of the principles of mutual respect and equal partnership.

The Republic of Belarus proceeds on the basis that the most important function of the State is to ensure all universal human rights. To fulfil its obligations the Government of Belarus is actively using both national resources and the potential of cooperation with international human rights bodies.

Using the defence of human rights as a means of advancing political and economic interests has no future and runs counter to the very idea of human rights. Unilateral measures taken by individual countries with respect to sovereign States may discredit the very principle of participation by the global community in ensuring the observance of human rights.

It is with regret that we now have to state that there is not a single country in the world where the human rights situation is ideal. Terrorism, the rise of intolerance and xenophobia, inequality in the realization of economic and social rights, manifestations of discrimination and racism, and the increasing number of statements by far-right groups are just some of the problems that now afflict Europe and the international community and require practical and effective measures on the part of Governments.

The human rights situation in the democratic society being built in Belarus is no worse than that in the so-called developed democratic countries.

Belarus is a conscientious party to all the basic international treaties in the field of human rights and cooperates fully with the international treaty bodies in this sphere.

In January 2004 the Committee on the Elimination of All Forms of Discrimination against Women considered the regular periodic report of Belarus on its implementation of the International Convention on the Elimination of All Forms of Discrimination against Women, and in February 2004 the Republic of Belarus fulfilled the commitment it had given the Committee by ratifying the Optional Protocol to the Convention, thereby recognizing the Committee's competence to consider individual complaints.

In August 2004 the Committee on the Elimination of Racial Discrimination considered the report of the Republic of Belarus on its implementation of the International Convention on the Elimination of All Forms of Racial Discrimination.

In the course of a single year, Belarus has fulfilled its obligations to submit reports to two competent human rights treaty bodies. The recommendations made in that connection demonstrate recognition of the genuine efforts Belarus has made to fulfil the commitments it has undertaken under international human rights treaties.

Belarus is open to a constructive and fair dialogue on the whole gamut of issues relating to the defence of human rights, and is actively cooperating with the special thematic procedures of the Commission on Human Rights. Thus, at the invitation of the Government of Belarus, the Special Rapporteur on the right to freedom of opinion and expression, Mr. Abid Hussein, paid a visit to Belarus in 1997. The recommendations contained in his report were taken into account by Belarus in the preparation of changes to the Press and Other Mass Media Act. The Special Rapporteur on the independence of judges and lawyers, Mr. Param Cumaraswamy, paid a visit to Belarus in 2000.

The most recent example of Belarus' active cooperation with the special thematic procedures was the visit (from 16 to 26 August 2004), at the invitation of the Government of Belarus, of the Commission on Human Rights Working Group on Arbitrary Detention.

Thus, Belarus has fulfilled the intention it expressed during the sixtieth session of the United Nations Commission on Human Rights (held at Geneva from 15 March to 23 April 2004) to organize, by the end of 2004, a visit to Belarus by the United Nations Commission on Human Rights Working Group on Arbitrary Detention, and has extended all possible assistance to the Working Group in fulfilling the mandate entrusted to it by the Commission on Human Rights in 1991.

The Republic of Belarus has always confirmed in practice its adherence to the cause of defending human rights and stands ready to cooperate constructively with United Nations organs across the whole spectrum of human rights issues on the basis of the principles of universality, non-selectivity and objectivity.